

### **REMARKS**

Claims 2, 3, 5-11 and 13-22 were pending in this application when the present Office Action was mailed (December 11, 2007). In this response, claims 2, 6 and 16 have been amended to correct antecedent bases and/or typographical errors, and not for any reason related to patentability. No claims have added or canceled. Accordingly, claims 2, 3, 5-11 and 13-22 remain pending in the present application.

In the present Office Action, claim 16 was objected to and claims 2, 3, 5-11 and 13-22 were rejected. More specifically, the status of the application in light of this Office Action is as follows:

- (A) Claim 16 was objected to for a typographical error;
- (B) Claims 2, 3, 5-9 and 13-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,171,348 to Scanlan ("Scanlan"); and
- (C) Claims 10, 11, 21 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Scanlan in view of U.S. Patent No. 5,535,120 to Chong et al. ("Chong").

The undersigned attorney and his colleague, Joe Brennan, wish to thank the Examiner for engaging in a telephone conference on February 29, 2008 to discuss the present Office Action, the Scanlan reference, and the pending claims. The applicant requests that this paper constitute the applicant's Interview Summary. If the Examiner notices any deficiencies with this paper in this regard, he is encouraged to contact the undersigned attorney to correct such deficiencies.

The following remarks summarize and expand upon the results of the March 5th telephone conference, and they also reflect the agreements reached between the undersigned attorney and the Examiner during the telephone conference. For example,

during the course of the telephone conference, the Examiner acknowledged the differences between the subject matter of claim 2 and the Scanlan reference.

A. Response to the Objection to Claim 16

Claim 16 was objected to for a typographical error. Claim 16 has been amended to correct this typographical error. Accordingly, the objection to claim 16 should be withdrawn.

B. Response to the Section 102(e) Rejections of Claims 2, 3, 5-9 and 13-20

Claims 2, 3, 5-9 and 13-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Scanlan. Applicant respectfully disagrees with these rejections.

Scanlan describes a process for translating electronic communications. (4:21-24.) Scanlan describes a sender sending a communication to a recipient. (5:7-9; see *a/so* Figure 2.) The communication is received by a mail server, which determines if translation is required. (5:9-11.) If translation is required, a machine translation is performed, if a suitable program is available. (5:49-51.) A quote for a human translation may be required. (5:64-6:6.) If a quote is not required, the original communication and the machine translation are sent to the recipient. (6:6-8.) If a quote for a human translation is required, a quote is determined and the original communication, the machine translation and the quote are sent to the recipient. (6:20-32.) In general, Scanlan describes "on-the-fly" or "as-needed" translation of individual electronic communications, one individual electronic communication at a time.

In some embodiments, applicant's techniques are directed toward methods of sending language-customized electronic mail messages to electronic mail recipients. In an embodiment, for example, a method includes receiving an instruction to automatically generate a set of language-specific electronic mail messages containing content associated with marketing research. The instruction includes an indication of a list of recipients and an indication of a pre-assembled content set for use in

automatically generating the set of language-specific electronic mail messages. The pre-assembled content set includes at least a first version of the content in a first language and a second version of the content in a second language. The method further includes automatically generating, based on the received instruction, the set of language-specific electronic mail messages is automatically generated, with at least a first electronic mail message customized in a first language for a first recipient and at least a second electronic mail message customized in a second language for a second recipient. Automatically generating the set of language-specific electronic mail messages includes: identifying a preferred language of an electronic mail recipient from the list of recipients; selecting and writing header information to an electronic mail message based on the identified preferred language; selecting, from the pre-assembled content set, a language-appropriate version of the content associated with marketing research based on the identified preferred language; and writing a body to the electronic mail message, with the selected language-appropriate version of the content inserted into the body of the electronic mail message.

During the course of the February 29th telephone conference, the Examiner acknowledged the differences between the subject matter of claim 2 and Scanlan. Indeed, claim 2 recites features that are not taught or suggested by Scanlan. For example, claim 2 recites, among other things, "receiving at least one instruction to automatically generate a set of language-specific email messages." In claim 2, the instruction includes "an indication of a pre-assembled content set for use in automatically generating the set of language-specific email messages" (underlining added). Also in claim 2, the pre-assembled content set includes "a first version of the content in a first language and a second version of the content in a second language" (underlining added). Scanlan does not teach or suggest these features of claim 2. To the contrary, as noted above, Scanlan describes a process for translating electronic communications upon receipt, one electronic communication at a time. Scanlan's translation process does not constitute using pre-assembled content in email messages, because such pre-assembled content includes at least two versions of the

content that is already in two different languages, and thus does not need to be translated.

Therefore, Scanlan does not teach or suggest, among other things, "receiving at least one instruction to automatically generate a set of language-specific email messages containing content associated with marketing research, wherein the at least one instruction includes an indication of a list of recipients and an indication of a pre-assembled content set for use in automatically generating the set of language-specific email messages containing the content associated with marketing research, the pre-assembled content set including at least a first version of the content in a first language and a second version of the content in a second language," as recited in claim 2 (underlining added). For at least this reason, the Section 102 rejection of claim 2 should be withdrawn.

Claims 3, 5, 8 and 9 depend from base claim 2. Accordingly, the Section 102 rejections of claims 3, 5, 8 and 9 should be withdrawn for at least the foregoing reasons, and for the additional features of these dependent claims.

Independent claims 6, 13 and 17 include several features generally similar to those of claim 2. For example, claim 6 recites, among other things, "receiving, as part of an electronic mail generation system, at least one instruction to automatically generate a set of language-specific email messages." In claim 6, the instruction includes an indication of a "pre-assembled content set for use in automatically generating the set of language-specific email messages" (underlining added). Also in claim 6, the pre-assembled content set includes "a first version of the content in a first language and a second version of the content in a second language" (underlining added). Claims 13 and 17 recite, among other things, "a third operation to select, based on the preferred language, a version of content for writing to the body of the electronic mail message." In claims 13 and 17, the version of content is selected from a "collection of content that includes multiple versions of the content, including a first

version of the content that has been pre-translated into a first language and a second version of the content that has been pre-translated into a second language" (underlining added). Accordingly, claims 6, 13 and 17 are patentable over Scanlan for the reasons discussed above with respect to claim 2, and for the additional features of these independent claims. Therefore, the Section 102 rejections of claims 6, 13 and 17 should be withdrawn.

Claim 7 depends from base claim 6, claims 14-16, 19 and 20 depend from base claim 13, and claim 18 depends from base claim 17. Accordingly, the Section 102 rejections of claims 7, 14-16 and 18-20 should be withdrawn for at least the foregoing reasons, and for the additional features of these dependent claims.

C. Response to the Section 103(a) Rejections of Claims 10, 11, 21 and 22

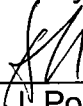
Claims 10, 11, 21 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Scanlan in view of Chong. Claims 10 and 11 depend from base claim 2, and claims 21 and 22 depend from base claim 13. As previously noted, Scanlan does not teach or suggest the features of base claims 2 and 13, and Chong fails to cure these deficiencies. As a result, the Section 103 rejections of claims 10, 11, 21 and 22 should be withdrawn for at least the reasons set forth above with regard to base claims 2 and 13, and for the additional features of these dependent claims.

Conclusion

In view of the foregoing, the pending claims comply with the requirements of 35 U.S.C. § 112 and are patentable over the applied art. The applicants accordingly request reconsideration of the application and a mailing of a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact Aaron Poledna at (206) 359-3982.

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